



CHARLES D. BAKER
GOVERNOR
KARYN E. POLITO
LIEUTENANT GOVERNOR

THE COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF LABOR RELATIONS
19 STANIFORD STREET, 1ST FLOOR
BOSTON, MASSACHUSETTS 02114
Telephone: (617) 626-7158
FAX: (617) 626-5467
www.mass.gov/jlmc

JOINT LABOR-MANAGEMENT
COMMITTEE FOR
MUNICIPAL POLICE AND FIRE
JOHN W. HANSON
CHAIR

MEETING MINUTES
FOR AUGUST 24, 2017

DATE: August 24, 2017
TIME: 11:05 a.m. – Full Committee Meeting
LOCATION: Offices of the Joint Labor-Management Committee,
19 Staniford St., 1st Floor, Boston, MA 02114-2502

Committee Members Present: Chairman Hanson, Management Chair Goldsmith, Fire Chair Reddy, Police Chair Andrews, MacKinnon (Fire), Cabral (Fire), and Tranfaglia (Mgmt.).

Committee Members Absent: Vinchesi (Mgmt.), Petrin (Mgmt.), Sedergren (Police), Mazzarella (Vice Chair Mgmt.), and Perreira (Police).

Alternates Present: Nelson, Hayes, DeMille, Reddy, Pedrini, and Frederickson.

Staff Present: Senior Staff Rep. Hubley, Senior Staff Rep. Cummings, Senior Staff Rep. Morgado, Gookin and Srednicki,

Others Present: Barrault (Pyle Rome), Crystal (Deutsch Williams), Fair (Kopelman & Paige), Macchi (Pyle Rome) and Downing (MMA)

- *Administrative updates:*
 - Accept Meeting Minutes from 7/13/17
Motion by Goldsmith and 2nd by Andrews. Passed unanimously.
 - Accept Meeting Minutes from 7/18/17
Motion by Goldsmith and 2nd by Reddy. Passed unanimously.
 - The Chair's Report

The Chairman John Hanson discussed with Committee about the decline of cases that are issued an Arbitration Award. Chairman Hanson stated that more of the cases were being resolved before they reached the point of arbitration.

JLM-16-5313 Andover Fire Fighters Local 1658 and Town of Andover

Chairman John Hanson informed the Committee that two motions have been submitted, one from the Union and one from the Town asking the JLMC to reconsider the decision to send the case to Arbitration and the issues that we certified. Chairman Hanson stated that the Town objects to the fact that we did not certify the issue of health care and the union objects to the 3a Panel certified the Town's issue regarding changed to the vacation and the sick leave programs. Both Parties ask that the 3a Panel decision be reconsidered. The Chairman stated that when the JLMC issued their Policies statements last year one thing discussed was that Chapter 589 did not have provisions in it regarding reconsideration or appealing the 3a decisions.

Matthew Reddy, Fire Chair, made a Motion for Reconsideration of the 3(a) Issue (vacation and Sick Leave) Certified. No second. Motion did not pass.

Mr. Reddy asked that the Committee to have a discussion about off the record verses on the record discussions during mediation. The Committee discussed the topic but was unable to come to a consensus at the meeting, but agreed it should be examined and discusses further at a future meeting.

JLM-16-5505 Seekonk Firefighters Local 1931 and Town of Seekonk

Chairman Hanson gave the Committee the background on the Seekonk Fire case. The Committee voted Seekonk Fire to arbitration. The Town filed a Prohibitive Practice charge with Department of Labor Relations, arguing that the Union had not negotiated in good faith. At the investigation, the hearing officer found that there was no probable cause and dismissed the charge. The Town appealed the dismissal to the Commonwealth Employment Relations Board (CERB). The CERB ruled on the appeal and remand the case back to the Hearing Officer. The Hearing officer issued a complaint. The Parties can appeal any decision of the Hearing Officer once a decision is issued. The process can go on for an extended period of time.

The Town has submitted a Motion to Stay the Arbitration Pending the outcome of the DLR's case. Mr. Hanson state that the Committee do one of two things: stay the Arbitration or remove issue in dispute (24 Hour shift and whether it should be a 48 hour schedule or 56 hour schedule) from certified issues.

Jill Goldsmith, Management Chair, made a Motion to Stay the Arbitration Pending the Outcome of DLR's case. No second. Motion did not pass.

Attorney Joseph Fair asked to be heard. Chairman Hanson stated that this is not a public hearing. Attorney Fair asked that it be noted, for the record, that the Town wished to be heard on its Motion. Chairman Hanson stated that all the information that Attorney Fair and Attorney Barrault submitted has been distributed to the Committee. The Committee has been well informed. Attorney Fair asked that it be noted that the Town objects to not being heard.

General Updates

The senior staff have been asked to work on looking at investigation process, 3a hearings and certifying issues. The Chairman hopes to have information for the Committee at one of its two September meetings.

Mr. MacKinnon requested that the Committee work on following the timeline that was already established as a policy. The Chairman explained that we are trying to adhere to the timeline but the Committee just doesn't have the number of full time mediators right now to stay tight to the timeline.

- *Petitions, Jurisdiction and Awaiting Funding List (AFL) Cases:*

Case Number	Organization	Mediator/Sr. Staff	Topic/Vote/Action
1. JLM-17-5748	Nantucket Police	CG/DC/GD	Jurisdiction
Motion by Andrews and 2nd by Goldsmith. Passed unanimously. Committee Members Assigned Perriera and Goldsmith.			
2. JLM-17-5749	Nantucket Police Sup.	CG/DC/GD	Jurisdiction
Motion by Andrews and 2nd by Goldsmith. Passed unanimously. Committee Members Assigned Perriera and Goldsmith.			
3. JLM-17-5889	Rochester Police	EFS/DC/GD	Move to AFL
Motion by Andrews and 2nd by Goldsmith. Passed unanimously.			
4. JLM-17-5933	Nantucket Fire	CG/JOEH/GD	Jurisdiction
Motion by Reddy and 2nd by Goldsmith. Passed unanimously. Committee Members Assigned TBA and Frederickson.			
5. JLM-17-5975	Rutland Police	EFB/SJS/DC/DM	Jurisdiction
Motion by Andrews and 2nd by Goldsmith. Passed unanimously. Committee Members Assigned T. Reddy and Craver.			
6. JLM-17-6023	So. Hadley Fire	SJS/JOEH/GD	Jurisdiction
Motion by Reddy and 2nd by Goldsmith. Passed unanimously. Committee Members Assigned Taylor and Mahoney.			
7. JLM-15-4978	Sterling Police	HB/DC/GD	Move to AFL
Motion by Andrews and 2nd by Goldsmith. Passed unanimously.			
8. JLM-16-5322	Avon Police	CG/DC/GD	Voted to 3(a)
Motion by Andrews and 2nd by Goldsmith. Passed unanimously.			
9. JLM-16-5455	Ludlow Police Sup.	BH/GD/DC	Funded/Remove
Motion by Andrews and 2nd by Goldsmith. Passed unanimously.			
10. JLM-16-5646	Hopkinton Fire	CG/JOEH/GD	Voted to 3(a)
Motion by Reddy and 2nd by Goldsmith. Passed unanimously.			
11. JLM-17-5735	Pittsfield Fire	SJS/GD/JOEH	T/A
No Action.			
12. JLM-17-5816	Pembroke Fire	JG/JOEH/GD	Move to AFL
Motion by Reddy and 2nd by Goldsmith. Passed unanimously.			
13. JLM-16-5073	Beverly Fire	HB/GD/JOEH	Funded/Remove
Motion by Reddy and 2nd by Goldsmith. Passed unanimously.			
14. JLM-16-5237	Granby Fire	BH/JOEH/GD	Funded/Remove
Motion by Reddy and 2nd by Goldsmith. Passed unanimously.			
15. JLM-16-5252	Ipswich Fire	HB/JOEH/GD	Move to AFL
Motion by Reddy and 2nd by Goldsmith. Passed unanimously.			
16. JLM-16-5323	Waltham Fire	KM/JOEH/GD	Funded/Remove
Motion by Reddy and 2nd by Goldsmith. Passed unanimously.			

17. JLM-16-5453	Ludlow Police	BH/GD/DC	Funded/Remove
Motion by Andrews and 2 nd by Goldsmith. Passed unanimously.			
18. JLM-16-5676	Weston Fire	CG/JOEH/GD	Funded/Remove
Motion by Reddy and 2 nd by Goldsmith. Passed unanimously.			
19. JLM-16-5680	Paxton Fire	JOEH/GD	Funded/Remove
Motion by Reddy and 2 nd by Goldsmith. Passed unanimously.			
20. JLM-17-5978	Hopedale Fire	JG/JOEH/GD	Funded/Remove
Motion by Reddy and 2 nd by Goldsmith. Passed unanimously.			

- *Any other business that may legally come before the committee:*
- *Adjournment at 11:55 am*

Recorded by Gwenn Kelley, Collective Bargaining Election Specialist II.